

(I) Quantum technology.

(J) Other emerging technologies as they are developed.

**SEC. 6403. JOINT COMMITTEE ON DEFENSE PRODUCTION.**

(a) **AUTHORIZATION.**—There shall be a joint congressional committee known as the Joint Committee on Defense Production (in this section referred to as the “Joint Committee”).

(b) **MEMBERSHIP.**—

(1) **NUMBER.**—The Joint Committee shall be composed of 10 members, as follows:

(A) Three members appointed by the Majority Leader of the Senate.

(B) Two members appointed by the Minority Leader of the Senate.

(C) Three members appointed by the Speaker of the House of Representatives.

(D) Two members appointed by the Minority Leader of the House of Representatives.

(2) **VACANCIES.**—A vacancy in the Joint Committee—

(A) shall not affect the powers of the remaining members to execute the functions of the Joint Committee; and

(B) shall be filled in the same manner in which the membership was originally filled.

(3) **ALLOWANCES.**—The members of the Joint Committee shall serve without compensation in addition to that received for their services as Members of Congress, but they shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the performance of the duties vested in the Joint Committee, other than expenses in connection with meetings of the Joint Committee held in the District of Columbia during such times as Congress is in session.

(4) **CHAIR; VICE CHAIR.**—The Chair and Vice Chair of the Joint Committee shall alternate between one of the members appointed by the Majority Leader of the Senate and one of the members appointed by the Speaker of the House of Representatives, with the former serving as the Chair in each odd-numbered Congress and the latter serving as the Chair in each even-numbered Congress.

(c) **STAFF.**—

(1) **CHIEF OF STAFF.**—The Joint Committee shall have power to appoint and fix the compensation of the Chief of Staff of the Joint Committee.

(2) **PERMANENT STAFF.**—The Joint Committee shall have the power to employ and fix the compensation of a permanent staff to facilitate the work of the Joint Committee under the direction of its Chair and Vice Chair. The staff shall serve the Joint Committee jointly on a professional, non-partisan basis.

(3) **CLERICAL, STENOGRAPHIC, AND OTHER ASSISTANTS.**—The Joint Committee shall have power to appoint and fix the compensation of clerical, stenographic, and other assistants to facilitate the work of the Joint Committee under the direction of its Chair and Vice Chair.

(4) **ACCESS TO NATIONAL SECURITY AND INTELLIGENCE INFORMATION.**—The Chief of Staff and permanent staff of the Joint Committee shall have access to all national security and intelligence information necessary to facilitate the work of the Joint Committee under the direction of its Chair and Vice Chair.

(d) **PAYMENT OF EXPENSES.**—The expenses of the Joint Committee shall be paid one-half from the contingent fund of the Senate and one-half from the contingent fund of the House of Representatives, upon vouchers signed by the Chair or the Vice Chair.

(e) **DUTIES.**—The Joint Committee shall—

(1) study the defense industrial base on a continuing basis, including reviewing progress achieved in the execution and administration of programs that contribute to

the security, reliability, and resiliency of the defense industrial base;

(2) upon request, aid the standing committees of Congress having legislative jurisdiction over any part of the programs authorized by this title;

(3) make periodic reports to the Senate and the House of Representatives concerning the results of its studies, together with such recommendations as it may consider appropriate;

(4) establish and maintain procedures for the preservation of critical technologies, as described in subsection (f);

(5) study the industrial mobilization plans and procedures of the Department of Defense to execute a military conflict scenario consistent with the scenario used by the Secretary of Defense for budgeting and defense planning purposes, with a particular focus on the integration of the private sector, government-owned and contractor-operated facilities, and the organic industrial base; and

(6) consult with the Assistant Secretary of Defense for Industrial Base Policy in the execution of duties covered under this paragraph.

(f) **TIERED SCHEDULE OF CRITICAL SUPPLY CHAINS.**—

(1) **IN GENERAL.**—In consultation with the Assistant Secretary of Defense for Industrial Base Policy, the Joint Committee shall establish and maintain a taxonomy for characterizing the defense industrial base and making recommendations to preserve critical technologies, identified as such by the Joint Committee.

(2) **PRESERVATION OF CRITICAL TECHNOLOGIES.**—At minimum, the Joint Committee shall make recommendations for the preservation of critical technologies in the following tiers:

(A) Tier 1: Supply chains, inputs, raw materials, and labor that should be sourced entirely from United States entities, without exception and in accordance with paragraph (3).

(B) Tier 2: Supply chains, inputs, raw materials, and labor that should be sourced either from United States entities or from entities owned and controlled by foreign nationals in United States allies and foreign nations that have entered into formal agreements with the Department of Defense, including through reciprocal defense procurement agreements or security of supply agreements.

(C) Tier 3: Supply chains, inputs, raw materials, and labor that should be sourced from any source other than a prohibited source, as defined under section 2533c of title 10, United States Code.

(D) Tier 4: Supply chains, inputs, raw materials, and labor that may be sourced without restriction.

(3) **TIER 1 SOURCING REQUIREMENT.**—Supply chains, inputs, raw materials, and labor designated Tier 1 pursuant to paragraph (2)(A) may not be sourced from United States entities or entities owned and controlled by foreign nationals in United States allies and foreign nations that are—

(A) designated as a foreign terrorist organization by the Secretary of State under section 219(a) of the Immigration and Nationality Act (8 U.S.C. 1189(a));

(B) included on the list of specially designated nationals and blocked persons maintained by the Office of Foreign Assets Control of the Department of the Treasury (commonly known as the SDN list);

(C) owned by, controlled by, or subject to the jurisdiction or direction of a government of a foreign country that is a covered nation (as defined under section 2533c(d) of title 10, United States Code);

(D) alleged by the Attorney General to have been involved in activities for which a conviction was obtained under—

(i) chapter 37 of title 18, United States Code (commonly known as the “Espionage Act”);

(ii) section 951 or 1030 of title 18, United States Code;

(iii) chapter 90 of title 18, United States Code (commonly known as the “Economic Espionage Act of 1996”);

(iv) the Arms Export Control Act (22 U.S.C. 2751 et seq.);

(v) section 224, 225, 226, 227, or 236 of the Atomic Energy Act of 1954 (42 U.S.C. 2274, 2275, 2276, 2277, and 2284);

(vi) the Export Control Reform Act of 2018 (50 U.S.C. 4801 et seq.); or

(vii) the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.); or

(E) determined by the Secretary of Commerce, in consultation with the Secretary of Defense and the Director of National Intelligence, to be engaged in unauthorized conduct that is detrimental to the national security or foreign policy of the United States.

(g) **POWERS.**—The Joint Committee may hold hearings, sit and act at such times and places, require by subpoena (to be issued under the signature of the Chair or Vice Chair of the Joint Committee) or otherwise the attendance of such witnesses and the production of such books, papers, and documents, administer such oaths, take such testimony, procure such printing and binding, and make such expenditures as it considers advisable.

(h) **UNITED STATES ENTITY DEFINED.**—In this section, the term “United States entity” means an entity—

(1) not less than 50 percent of the equity interest in which is owned by citizens or nationals of the United States (as defined in section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a))); and

(2) that maintains its headquarters and the majority of its production facilities in the United States.

**SEC. 6404. COMPTROLLER GENERAL REPORT ON ASSISTANT SECRETARY OF DEFENSE FOR INDUSTRIAL BASE POLICY.**

Not later than 2 years after the confirmation of the first Assistant Secretary of Defense for Industrial Base Policy under section 138 of title 10, United States Code, as amended by section 903 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116-283), the Comptroller General of the United States shall submit to the Committees on Armed Services of the Senate and the House of Representatives and the Joint Committee on Defense Production a report on the strategy, effectiveness, and responsibilities of the Assistant Secretary of Defense for Industrial Base Policy.

**SA 1895.** Mr. KAINÉ submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 3114 and insert the following:

**SEC. 3114. INFRASTRUCTURE TRANSACTION AND ASSISTANCE NETWORK.**

(a) **AUTHORITY.**—The Secretary of State is authorized to establish an initiative, to be known as the “Infrastructure Transaction and Assistance Network”, under which the Secretary of State, in consultation with other relevant Federal agencies, including those represented on the Global Infrastructure Coordinating Committee, may carry out various programs to advance the development of sustainable, transparent, and high-quality physical and digital infrastructure in the Indo-Pacific and Latin America and Caribbean regions by—

(1) strengthening capacity-building programs to improve project evaluation processes, regulatory and procurement environments, and project preparation capacity of countries that are partners of the United States in such development;

(2) providing transaction advisory services and project preparation assistance to support sustainable infrastructure; and

(3) coordinating the provision of United States assistance for the development of infrastructure, including infrastructure that utilizes United States manufactured goods and services, and catalyzing investment led by the private sector.

(b) **TRANSACTION ADVISORY FUND.**—As part of the “Infrastructure Transaction and Assistance Network” described under subsection (a), the Secretary of State is authorized to provide support, including through the Transaction Advisory Fund, for advisory services to help boost the capacity of partner countries to evaluate contracts and assess the financial, environmental, and digital security impacts of potential infrastructure projects, including through providing services such as—

(1) legal services;

(2) project preparation and feasibility studies;

(3) debt sustainability analyses;

(4) digital vulnerability analyses;

(5) bid or proposal evaluation; and

(6) other services relevant to advancing the development of sustainable, transparent, and high quality infrastructure.

(c) **STRATEGIC INFRASTRUCTURE FUND.**—

(1) **IN GENERAL.**—As part of the “Infrastructure Transaction and Assistance Network” described under subsection (a), the Secretary of State is authorized to provide support, including through the Strategic Infrastructure Fund, for technical assistance, project preparation, pipeline development, and other infrastructure project support.

(2) **JOINT INFRASTRUCTURE PROJECTS.**—Funds authorized for the Strategic Infrastructure Fund should be used in coordination with the Department of Defense, the International Development Finance Corporation, like-minded donor partners, and multilateral banks, as appropriate, to support joint infrastructure projects in the Indo-Pacific and Latin America and Caribbean regions.

(3) **STRATEGIC INFRASTRUCTURE PROJECTS.**—Funds authorized for the Strategic Infrastructure Fund should be used to support strategic infrastructure projects that are in the national security interest of the United States and vulnerable to strategic competitors.

(d) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated, for each of fiscal years 2022 to 2026, \$125,000,000 to the Infrastructure Transaction and Assistance Network, of which \$35,000,000 is to be provided for the Transaction Advisory Fund.

**SA 1896.** Mrs. FEINSTEIN (for herself and Mr. PADILLA) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr.

SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

After section 2645, insert the following:

**SEC. 2645A. ESTABLISHMENT OF COMMERCIAL SMALLSAT DATA PROGRAM.**

(a) **FINDINGS.**—Congress makes the following findings:

(1) Section 60501 of title 51, United States Code, states that the goal of the Administration’s Earth science program is “to pursue a program of Earth observations, research, and applications activities to better understand the Earth, how it supports life, and how human activities affect its ability to do so in the future”.

(2) Section 50115 title 51, United States Code, directs the Administrator to acquire space-based and airborne Earth remote sensing data, services, distribution, and applications from a commercial provider.

(3) In 2019, the Administrator established the Commercial SmallSat Data Acquisition Pilot Program to identify, evaluate, and acquire data from commercial sources that support NASA’s Earth science research and application goals, and NASA has—

(A) determined, in its 2020 final evaluation entitled “Commercial SmallSat Data Acquisition Program Pilot Evaluation Report”, that the program has been a success;

(B) expanded its procurement arrangements with commercial vendors to provide Earth remote sensing data and imagery to NASA-funded scientists; and

(C) sought to increase the number of commercial vendors, expand acquisition of commercial data products, and broaden user access despite a lack of corresponding growth in the program’s budget.

(b) **ESTABLISHMENT OF COMMERCIAL SMALLSAT DATA PROGRAM.**—

(1) **IN GENERAL.**—Chapter 603 of title 51, United States Code, is amended by adding at the end the following:

**“§ 60307. Commercial SmallSat Data program**

“(a) **ESTABLISHMENT.**—Not later than 90 days after the date of the enactment of this section, the Administrator shall establish within the Earth Science Division of the Science Mission Directorate a program, to be known as the ‘Commercial SmallSat Data Program’ (referred to in this section as the ‘Program’), to procure and disseminate commercial Earth observation data and imagery.

“(b) **DATA PUBLICATION AND TRANSPARENCY.**—The terms and conditions of commercial remote sensing data acquisitions under the Program may not prevent the publication of—

“(1) data for scientific purposes; or

“(2) information that enhances the original data of a vendor.

“(c) **FUNDING.**—The Administrator may obligate such sums as necessary—

“(1) to procure from commercial vendors the remote sensing data and imagery necessary to advance NASA scientific research and applications; and

“(2) to establish or modify end-use license terms and conditions to allow individuals other than NASA-funded users to use such procured data and imagery.

“(d) **REPORT.**—Not later than 180 days after the date of the enactment of this section, and annually thereafter, the Administrator

shall submit to the appropriate committees of Congress a report that includes the following:

“(1) A list of all vendors that provide remote sensing data and imagery to NASA.

“(2) The end-use license terms and conditions for each such vendor.

“(3) A description of the manner in which each such vendor is advancing scientific research and applications, including the priorities recommended in the decadal surveys of the National Academies of Sciences, Engineering, and Medicine.

“(4) A determination as to whether the Administrator has entered into any agreement with a commercial vendor or any other civilian agency that permits the use of data and imagery by Federal Government employees, contractors, or non-Federal users.”.

(2) **CONFORMING AMENDMENT.**—The table of sections for chapter 603 of title 51, United States Code, is amended by inserting after the item relating to section 60306 the following:

“60307. Commercial SmallSat Data program.”.

**SA 1897.** Mr. MANCHIN submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 2515 and insert the following:

**SEC. 2515. RESTRICTIONS ON NUCLEAR COOPERATION WITH THE PEOPLE’S REPUBLIC OF CHINA.**

(a) **SENSE OF CONGRESS.**—It is the sense of Congress that the document entitled “U.S. Policy Framework on Civil Nuclear Cooperation with China” (PF 2019-03), which was issued on October 11, 2018, places necessary and appropriate restrictions on nuclear cooperation with the People’s Republic of China and should, therefore, remain in force.

(b) **REPORTS ON MODIFICATIONS TO RESTRICTIONS.**—

(1) **REQUIREMENT.**—Not later than 60 days before the date on which the Secretary of Energy seeks to modify any restriction on the transfer of United States civil nuclear technology to the People’s Republic of China, the Secretary of Energy, with the concurrence of the Secretary of State and after consultation with the Nuclear Regulatory Commission, the Secretary of Commerce, and the Secretary of Defense and review by the Director of National Intelligence, shall submit to the appropriate committees of Congress a report on such modification, including a description of, and explanation for, the modification.

(2) **FORM.**—Each report submitted under paragraph (1) shall be submitted in unclassified form but may include a classified annex.

(c) **REVIEW OF PRIOR NUCLEAR COOPERATION AND ASSOCIATED IMPACTS.**—

(1) **IN GENERAL.**—Not later than 60 days after the date of the enactment of this Act, the Comptroller General of the United States shall initiate—

(A) a review of nuclear cooperation during the 10-year period ending on the date of the enactment of this Act between the United